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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/670,345	09/26/2003	Bong-joo Kim	45270	5241

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EXAMINER

WATKO, JULIE ANNE

ART UNIT	PAPER NUMBER
2627	

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/670,345

Applicant(s)

KIM ET AL.

Examiner

Julie Anne Watko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 5, 8, 10, 14, 15 and 18 is/are rejected.
- 7) ☒ Claim(s) 2-4, 6, 7, 9, 11, 12, 16, 17, 19 and 20 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/30/05, 8/25/05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Applicant's election of group I, claims 1-12 and 14-20, in the reply filed on February 16, 2006, is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).
2. All non-elected claims have been cancelled by Applicant. Elected claims 1-12 and 14-20 are hereby examined on the merits.

Information Disclosure Statement

3. The information disclosure statement filed August 25, 2005, fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each cited foreign patent document; each non-patent literature publication or that portion which caused it to be listed; and all other information or that portion which caused it to be listed. It has been placed in the application file, but the information referred to therein has not been considered. The copy is incomplete, as evidenced by its non-sequential pages and non-sequential figure numbers.

Drawings

4. The drawings were received on January 21, 2004. These drawings are acceptable.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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6. Claims 5, 8, 10, 15 and 18 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 5 recites the limitation “the locking recess comprises: a corner adapted to ... mate with the locking recess” in lines 2-4. It is unclear in what sense a part of a locking recess can mate with itself.

Claims 10 and 18 are similarly indefinite.

Claim 8 recites the limitation “the locking lever comprises ... a locking protrusion” in lines 2 and 4. This limitation is misdescriptive of the specification, which clearly shows that the locking protrusion is not part of the locking lever. Because claim 8 is drawn to a locking lever, limitations on the locking protrusion are interpreted as not limiting the claim.

Claim 15 recites the limitation “the at least one edge ... comprises cutting and bending” in lines 1-2. Claim 15 is drawn to a locking device, not to a method or process; thus, it is unclear in what sense the recited process steps limit the claimed device. The Examiner suggests that Applicant amend this hybrid claim to recite a structural limitation upon the claimed device (as in claim 9), rather than method or process steps.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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8. Claims 1, 8, 10 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Sugihara (US Pat. No. 4422114).

As recited in claim 1, Sugihara shows a deck of a tape recorder comprising: a deck chassis 1; a tape cassette housing 44; and a locking device (including 42) for the tape cassette housing of the tape recorder, which comprises: a locking lever 42; a locking recess (below 42a in the figures) formed within the locking lever; and a locking protrusion (44a, for example), comprising at least one edge (upper edge in Fig. 7) formed at an outer surface such that the at least one edge comes into contact with a corner (right corner of 42a in Fig. 7) of the locking recess when the tape cassette housing is locked onto the deck chassis (see solid lines in Fig. 7).

As recited in claim 8, to the extent understood, Sugihara shows a locking lever 42 adapted for use with a locking device (including 44a, for example) for a tape cassette housing of a tape recorder, wherein the locking lever comprises: a locking recess formed within the locking lever; wherein at least one edge of a locking protrusion comes into contact with a corner of the locking recess when the tape cassette housing is locked onto a deck chassis.

As recited in claim 10, to the extent understood, Sugihara shows a corner (right corner of 42a in Fig. 7) adapted to come into contact with the at least one edge and then locking the tape cassette housing.

As recited in claim 14, Sugihara shows a locking device (including 42 and 44a) for a tape cassette housing 44 of a tape recorder comprising: a locking lever 42; a locking recess (below 42a in the figures) formed within the locking lever 42; and a locking protrusion 44a, comprising at least one edge (upper edge in Fig. 7, for example) formed at an outer surface such that the at

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least one edge comes into contact with a corner (right corner of 42a in Fig. 7) of the locking recess when the tape cassette housing 44 is locked onto a deck chassis 1.

Allowable Subject Matter

9. Claims 2-4, 6-7, 9, 11-12, 16-17 and 19-20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 5, 15 and 18 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Lee et al (US Pat. No. 5754360) is an English-language equivalent to Samsung (CN 1155734).

12. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Anne Watko whose telephone number is (571) 272-7597.

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The examiner can normally be reached on T11A-5PW3P-9PTh11:30A-10PF10A-8:30PSatNoon-8:30P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Julie Anne Watko
Primary Examiner
Art Unit 2627

April 26, 2006
JAW

A handwritten signature in black ink, appearing to read 'Julie Anne Watko', with a stylized, flowing script.